

## ACTIONS TO IMPLEMENT AN ORDERLY SHUTDOWN

*The purpose of this paper is to inform the implementation of orderly shutdown activities. In the event Congress does not pass an annual appropriation or continuing resolution before October 1<sup>st</sup>, a government shutdown will occur. A shutdown will affect National Guard technicians differently, depending on their status. Supervisors have informed each technician of their shutdown status, as listed below. Technicians who have questions regarding their exempt/excepted/non-excepted status or responsibilities during the government shutdown should contact their immediate supervisor.*

- **“EXEMPT” EMPLOYEES.** *Exempt employees are in positions funded by multiyear appropriations (i.e. RDT&E), revolving funds (i.e. depots), or non-appropriated funds. As these functions are not immediately affected by a lapse in FY14 appropriations, exempt technicians shall continue to report to work as normal. Funding in some appropriations and revolving funds may be exhausted if there is a prolonged shutdown, which could necessitate furloughs in weeks to come. – NOT APPLICABLE TO TITLE 32 NATIONAL GUARD*
- **“EXCEPTED” TECHNICIANS.** *Excepted technicians are in positions funded by annual appropriations (lapsed), but are performing a function excepted under law. These individuals will report for duty and will earn pay, but will not receive pay until an appropriation is passed. These individuals (and their supervisors) must maintain a written record of their work hours so that their pay records may be corrected upon passage of FY14 appropriations.*
- **“NON-EXCEPTED” TECHNICIANS.** *Non-excepted technicians are in positions funded by annual appropriations (lapsed) and **not** performing a function excepted under law. These individuals should report for duty on October 1<sup>st</sup> in order to perform orderly shutdown activities. Once an appropriation is passed, non-excepted technicians’ pay records will be corrected to reflect their orderly shutdown work (at least 4 hours).*
- **AGR MEMBERS.** *Military members are not subject to furlough. These individuals will report for duty and will earn pay, but will not receive pay until an appropriation is passed.*

Action	Description
FOR SUPERVISORS: Review Furlough Guidance	Review National Guard/DoD leadership messages on furlough and background information concerning furlough procedures (available at: <a href="http://www.nationalguard.mil/features/shutdown/default.aspx">http://www.nationalguard.mil/features/shutdown/default.aspx</a> ).
NON-EXCEPTED TECHNICIANS: Sign Furlough Letter (October 1 <sup>st</sup> )	<p>- All technicians should report for duty on October 1<sup>st</sup> unless on previously scheduled leave, TDY, telecommuting, or other absence approved by their supervisor.</p> <p>-First-level supervisors will meet with each non-excepted technician to:</p> <ul style="list-style-type: none"> <li>-- Provide furlough letter and other information via personal delivery.</li> <li>-- Ensure letter is signed and the technician receives a copy.</li> <li>-- In the event the technician refuses to sign the letter, the supervisor shall note on the letter: “Technician refused to acknowledge. Copy provided on [DATE]” and sign the document.</li> </ul>

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	<ul style="list-style-type: none"> <li>- For technicians not present on October 1<sup>st</sup> (technician is on leave, otherwise not present, or in cases where it would cause undue impact to technicians to report on October 1<sup>st</sup>), an appropriate contact plan should be in place. Ensure a copy of the furlough notice is sent to the technician via e-mail, fax, or mail. Technicians should acknowledge receipt and return a signed copy of the notification to the supervisor. Document telephonic discussions via memo for record.</li> <li>- Technicians who do not perform orderly shutdown work on October 1<sup>st</sup> will not earn pay for that day.</li> <li>- Excepted technicians will continue to work a normal schedule.</li> <li>- Exempt employees will continue to work a regular schedule and record time and attendance until otherwise notified.</li> </ul> <p>Thereafter, these persons may be furloughed in accordance with these instructions if the funds to pay them are exhausted.</p>
ALL TECHNICIANS: Document Time & Attendance (T&A) for Pay Period to Date (Ending 5 October 2013)	<ul style="list-style-type: none"> <li>- All technicians will be paid for work performed through 30 September 2013 in their October 11<sup>th</sup> paycheck.</li> <li>- If the government shuts down on October 1<sup>st</sup>, as part of their orderly shutdown activity on 1 Oct, all technicians need to input actual time worked and sign their timecard through 30 September 2013 using the appropriate system.</li> <li>- All non-exempt technicians (excepted <u>and</u> non-excepted) will use the code KE for the remainder of the current pay period (1-4 October).</li> <li>- All timecards must be completed, signed and certified by close of business on 1 October 2013 to ensure payment.</li> <li>- Exempt employees shall document pay and attendance per usual procedure.</li> </ul>
ALL TECHNICIANS: Document Time & Attendance (T&A) During Lapse in Appropriation	<ul style="list-style-type: none"> <li>- Excepted and non-excepted technicians, and their supervisors, must keep a manual record of actual time worked during the lapse in appropriation. <ul style="list-style-type: none"> <li>-- Excepted technicians are responsible for maintaining a record of hours worked.</li> <li>-- Records shall document the technicians' total hours for each duty day (e.g. start and end times). The manual records must contain sufficient detail to support auditability.</li> <li>-- Supervisors shall review, verify, and maintain all such records.</li> <li>-- Excepted technicians may not take leave during a government shutdown; any excused absence during a lapse in appropriation will be treated as furlough (non-pay status).</li> <li>-- Non-excepted technicians are responsible for maintaining a record of hours in excess of 4 hours worked in execution of an orderly shutdown (all technicians will be presumed to require at least four hours, unless additional efforts are necessary and pre-approved).</li> </ul> </li> <li>- Excepted technicians will continue to use the KE code during</li> </ul>

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	<p>the appropriation lapse.</p> <ul style="list-style-type: none"> <li>- Pay earned on/after 1 October 2013 and appropriately documented will be paid when a continuing resolution (CR) or appropriation bill is passed.</li> <li>- Supervisors and technicians will use their manual records to correct time and attendance records once appropriations are made available; manual records should be maintained.</li> </ul>
FOR SUPERVISORS: Inform Military of Potential Impact on Military Pay	<p>AGR members will continue in normal duty status during a government shutdown. A shutdown that extends <u>beyond</u> 9 October could result in a delay in payment of the 15 October mid-month pay.</p>
NON-EXCEPTED TECHNICIANS: Perform Orderly Shutdown Work	<p>Orderly shut-down requirements will vary based upon position. All technicians, by policy, are authorized a minimum of four hours. Additional time may be required for some technicians, but the justification for additional time must be documented. Supervisors must ensure that all non-excepted activities that would create new obligations are terminated as part of an orderly shutdown. Where this effort cannot be performed by non-furloughed civilians or military members, it must be accomplished as part of the orderly shutdown.</p> <p>Supervisors shall ensure that technicians limit work only to shutdown activities, examples include:</p> <ul style="list-style-type: none"> <li>- Securing the work area including computers, materials, files and CAC card; take extra care for classified data and any containing Personal Identity Information (PII).</li> <li>- Coordinating work between furloughed and non-furloughed personnel</li> <li>- Taking home or locking up personal valuables</li> <li>- Cancelling travel plans and scheduled training</li> <li>- Cancelling internal and external meetings and informing attendees</li> <li>- Cancelling sponsored events and notifying participants</li> <li>- Cancelling or suspending non-excepted activities</li> <li>- Placing out-of-office messages on email and voicemail</li> <li>- Updating and/or providing contact information (i.e. home address/email/phone) to supervisor</li> <li>- Temporarily transferring authority for security managers, travel voucher approval, and other approving official functions</li> <li>- Updating government-sponsored mass transportation subsidy claims</li> </ul>
FOR SUPERVISORS: Brief Technicians on Reporting and Call-Back Procedures Prior to Departure	<p>Counsel technicians that, during the furlough, they must remain away from the workplace, may not work from home, and are legally prohibited from checking Blackberries or using government issued laptops. Information concerning how and when technicians may return from furlough will available on: <a href="http://www.nationalguard.mil/features/shutdown/default.aspx">http://www.nationalguard.mil/features/shutdown/default.aspx</a></p>

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	The OPM website will also have critical information on return to duty <a href="http://www.opm.gov/">http://www.opm.gov/</a> .
NON-EXCEPTED TECHNICIANS: Return to Work	It is each technician's responsibility to listen to public broadcasts and to keep abreast of the latest news regarding the budgetary status of the United States Government. When a continuing resolution or a FY 2014 appropriation for the DoD has been passed, technicians will report to work or request leave in accordance with leave procedures. If the announcement occurs during duty hours, technicians will be expected to immediately contact their supervisor to determine whether it is reasonable to report to duty. If the notification occurs during non-duty hours, technicians will be expected to report to work on their next regular duty day.
ALL TECHNICIANS: Pay Entitlement Once Appropriations are Enacted	<p>Upon passage of a CR or appropriation bill:</p> <ul style="list-style-type: none"> <li>- Excepted technicians will be paid for all hours worked during the lapse once an appropriation is passed.</li> <li>- AGR members will also be paid once an appropriation is passed.</li> <li>- Furloughed technicians will be retroactively paid for time spent receiving their furlough letter and implementing an orderly shutdown.</li> <li>- Retroactively paying furloughed technicians for time not worked would require specific legislation.</li> </ul>